

Remarks:

Applicant has studied the Office Action dated March 14, 2006, and has amended the claims the specification to distinctively claim the subject matter of the invention. By virtue of this amendment, claims 1, 2, 3, 12, 14, 16 and 20 have been amended, and claims 9-11 and 19 have been canceled. New claims 27-29 are introduced. No new matter has been added. Support for the new claims and the amendments is found within the specification and the drawings. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

§112 Rejection:

Claims 20-26 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 20 has been amended to overcome the Examiner's rejection.

Allowable Subject Matter:

The Applicant wishes to thank the Examiner for finding claims 11-13, 16 and 19 allowable, if rewritten in independent form.

Claim 11 was dependent on claim 10, which was in turn dependent on claim 9. Claim 9 was dependent on claim 1. The applicant has incorporated the elements of claims 9-11 in claim 1, as amended. Accordingly, claim 1 should now be in condition for allowance.

Claims 16 and 19 were dependent on claim 14. Claim 14 is now amended to substantially incorporate the elements of claims 16 and 19. It is respectfully submitted that claim 14 is now in condition for allowance also.

Claim 20 substantially incorporates the elements of amended claim 1. Therefore, claim 20 should be in condition for allowance as well.

Claims 2-8 and 12-13 are dependent on allowable claim 1. Claims 15-18 are dependent on allowable claim 14. Claims 21-26 are dependent on allowable claim 20. The noted dependent claims should be in condition for allowance by the virtue of their dependence on allowable base claim.

New claims 27-29 substantially incorporate the elements of 1, 14 or 20 and should be also in condition for allowance.

§102 Rejection:

The Examiner rejected claims 1-10, 14, 15, 17 and 18 under section 102 as anticipated by USPN 3,663,900 ("Peterson").

It is respectfully noted that anticipation of claims using a drawing requires that "the picture must show all the claimed structural features and how they are put together" and "[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art." M.P.E.P. §2125. Furthermore, anticipation of a claim under 35 U.S.C. §102 (a), (b) and (e) requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," that "[t]he identical invention must be shown in as complete detail as is contained in the ... claim" and "[t]he elements must be arranged as required by the claim." M.P.E.P. §2131.

Claims 1, 14 and 20 as amended, substantially recite a variable attenuator comprising a first short key diode for attenuating a RF signal according to a first voltage; a second short key diode, connected in parallel to an anode of the first short key diode for attenuating the RF signal, according to a control voltage; a third short key diode connected in parallel to a cathode of the first short key diode for attenuating the RF signal, according to the control voltage; a first resistor provided between a cathode of the second short key diode and a ground connection; and a second resistor provided between a cathode of the third short key diode and the ground connection.

Respectfully, since Peterson fails to disclose at least one of the recited elements in the amended claims, a rejection under § 102 would be improper.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have expressly argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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